

### **Remark**

Applicants respectfully request reconsideration of this application as amended. No claims have been amended. Claims 1-30 have been canceled. Claims 31-64 have been added as New. Therefore, claims 31-64 are now presented for examination.

### **35 U.S.C. §103 Rejection**

*Thomas and Hertz with Barrett McKenna Logan Sahai and Lett*

The Examiner has rejected the claims under 35 U.S.C. §103(a) as obvious over Thomas et al., U.S. Patent Publication No. 2005/0149964 ("Thomas") and Hertz, U.S. Patent No. 5,758,257 ("Hertz"), in view of Barrett, U.S. Patent No. 6,005,597 ("Barrett"), McKenna, U.S. Patent No. 4,816,904 ("McKenna"), Logan, U.S. Patent No. 5,732,216 ("Logan"), Sahai, U.S. Patent No. 6,594,699 ("Sahai") or Lett, U.S. Patent No. 5,539,822 ("Lett") or combinations thereof.

The independent claims are amended to refer to "providing access to the viewer characteristic file remotely from the programming guide server at a different entertainment system" and variations thereon. Such a feature is not shown in any of the cited references, and accordingly, the rejections are believed to be traversed. The dependent claims contain additional limitations to further distinguish the present invention from the prior art.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

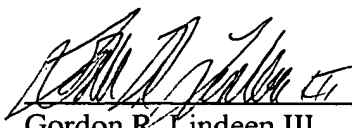
Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: September 30, 2008

  
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